The Planning Inspectorate

Appeal Decision

Site visit made on 9 January 2024

by G D Jones BSc(Hons) DipTP DMS MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th January 2024

Appeal Ref: APP/B3438/W/22/3308406
Royal Oak Hotel, 69 High Street, Cheadle ST10 1AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr David Gough of Gough Investments against the decision of Staffordshire Moorlands District Council.
- The application Ref SMD/2019/0632, dated 9 September 2019, was refused by notice dated 13 May 2022.
- The development proposed is the conversion of the existing public house/hotel into 9 apartments.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the vitality and viability of Cheadle town centre and the promotion of its tourism potential.

Reasons

3. Although the appeal property has been unused for a number of years, the permitted use appears to be a pub and hotel. The proposed development would convert it into flats, including at ground floor.

4. Policy TCR 2 of the Staffordshire Moorlands Local Plan, September 2020 (the Local Plan) expressly states that *proposals for residential use at ground floor level in primary shopping frontages will not be supported.* As the site is located within the designated primary shopping frontage of Cheadle and given the proposed ground floor use, the appeal development would evidently be contrary to this Policy in this regard.

5. The proposed development's relationship with the two other development plan policies cited in the reason for refusal is more complex. Local Plan Policy TCR 1 refers to protecting and enhancing the vitality and viability of Cheadle town centre by positive management via seven considerations. The loss of the permitted pub / hotel use would be at odds with the first and third of these considerations, which promote such town centre uses, whereas the introduction of housing on upper floors is supported by the seventh consideration where it would not jeopardise the town centre's vitality and viability. Local Plan Policy E 4 seeks to promote the area's tourism potential and aims for tourist accommodation uses in sustainable locations.

6. While the appeal premises has not functioned as a pub / hotel for many years, there is no substantiated or compelling evidence before me that it could not be reasonably returned to this use, nor that it could not be put to another town centre use. Accordingly, its current vacancy attracts limited weight in terms of the vitality and viability of the town centre.

7. The introduction of nine dwellings and the associated residents would help support town centre vitality and viability. Nonetheless, in this type of location the Local Plan gives primacy to town centre uses, such as the permitted use of the site, retailing, offices, leisure and cultural facilities in the pursuit of the protection and enhancement of the vitality and viability of town centres. On balance, therefore, the proposed use would have a negative effect in this regard. The loss of the permitted pub / hotel use would also undermine the tourism potential of the area.

8. For the foregoing reasons, therefore, the proposed development would have a detrimental effect on the vitality and viability of Cheadle town centre and the promotion of its tourism potential. Consequently, in these respects, it would be contrary to Policies TCR 1, TCR 2 and E 4 of the Local Plan and the National Planning Policy Framework (the Framework).

Other Matters

9. In addition to the foregoing considerations there are other matters that weigh in favour of the appeal development. The Council cannot currently demonstrate a Framework compliant supply of housing land. The proposed development would make a valuable contribution in this regard in a sustainable location. However, given the modest scale of the development, the weight this attracts is limited.

10. Moreover, the scheme would bring a grade II listed building back into use and, in doing so, address the reasons why it has been identified by the Council as being 'at risk'. There is nothing before me to suggest that an alternative development would necessarily come forward were the appeal to be dismissed. Yet, as outlined above, there is also no compelling evidence that it could not be reasonably returned to use as a pub / hotel or put to another town centre use without harm to the significance of either the listed building or Cheadle Conservation Area. Indeed, it seems likely that there would be a commercial interest to do so. Accordingly, any such benefit attracts limited weight.

Conclusion

11. In some respects, the proposed scheme would contribute positively to sustainable development objectives as set out in the Framework, particularly in terms of housing delivery and securing the use and the long term future of an 'at risk' listed building. Nonetheless, given the significant identified harm and associated development plan conflict when taken as a whole, the combined benefits of the scheme would be significantly and demonstrably outweighed. Accordingly, it would not be sustainable development in the terms of the Framework, such that there is no presumption in its favour.

12. The appeal should, therefore, be dismissed.

G D Jones

INSPECTOR